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UNITED STATES DISTRICT COURT
IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

PAULA LABRIE, ALFREDO MACIAS,
PETER MILLMAN, TOM
CHORTABTIM, RAF SISON

Case No. 3:08-CV-03182-PJH

Plaintiffs,

v.

UPS SUPPLY CHAIN SOLUTIONS, INC.

Defendant.

**STIPULATION AND [proposed] ORDER
REGARDING SCHEDULING OF
PLAINTIFFS' CONDITIONAL CLASS
CERTIFICATION MOTION
AS MODIFIED BY THE COURT**

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The parties to this lawsuit, by and through their respective counsel, have met and conferred in an effort to avoid scheduling and holiday conflicts and therefore request that the Court approve the following stipulated schedule for the timely filing of Plaintiffs' Motion for Conditional Class Certification, Defendant's opposition thereto and the Plaintiffs' reply:

- Plaintiffs shall file and serve their Motion for Conditional Class Certification and all supporting pleadings and evidence on or before December 5, 2008;
- Defendant shall file and serve its Opposition to Plaintiffs' Motion, and all supporting pleadings and evidence on or before January 21, 2009;
- Plaintiffs shall file and serve their Reply In Support of Plaintiffs' Motion, and all supporting pleadings and evidence on or before January 28, 2009;
- The court shall hear Plaintiffs' motion on Wednesday, ~~February 11~~ March 18, 2009 at 9:00 a.m.

The parties also stipulate that the statute of limitations for the claims of those who join as consenters after the filing of Plaintiffs' Motion for Conditional Certification shall be tolled for sixty (60) days to account for the period of delay in hearing this matter occasioned by Defendant's discovery.

DATED: November 21, 2008

LEONARD CARDER, LLP

By: 

LYNN ROSSMAN FARIS
Attorneys for PLAINTIFFS

DATED: November 21, 2008

PAUL, HASTINGS, JANOFSKY &
WALKER

By: 

ROBERT P. KRISTOFF
Attorneys for DEFENDANTS

IT IS SO ORDERED.

November 25

DATED: _____, 2008

Hon. Phyllis J. Hamilton
United States District Court
Northern District of California

